

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES A. McNEIL,)
)
Plaintiff,)
)
vs.) **Case No. 4:10cv0233 TCM**
)
METRO,)
)
Defendant.)

ORDER

This matter is before the Court on Plaintiff's motion to proceed in forma pauperis. On consideration of the information in Plaintiff's financial affidavit, the Court finds that he is able to pay the filing fee. Consequently, the Court will order Plaintiff to pay the statutory filing fee of \$350.00 within thirty days. If Plaintiff fails to pay the filing fee as ordered, the Court will dismiss this case without prejudice. If Plaintiff pays the filing fee, he will be responsible for serving the summons and the complaint upon the defendant or requesting the defendant to waive service of summons. See Fed. R. Civ. P. 4(c), (d). Plaintiff may seek guidance on serving the defendant from the Office of the Clerk.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff shall pay the filing fee of \$350.00 within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if Plaintiff fails to pay the filing fee within thirty (30) days, this case shall be dismissed without prejudice.

Dated this 23rd day of February, 2010.

/s/Thomas C. Mumment, III

THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE